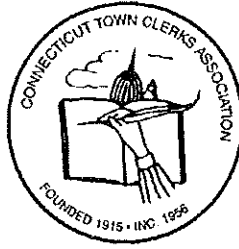


Connecticut Town Clerks Association, Inc.

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2008 Legislative Committee

Written Testimony
Wednesday, February 18, 2009
Government Administration and Elections Committee

House Bill 6440 An Act Concerning Certain Revisions to Election Related Statutes.

In general, the Town Clerks Association supports any change to the election laws that will clarify procedures for easier implementation or will reflect actual procedures currently being used.

We are pleased to support Section 25, which allows the ballot to indicate how many candidates the elector may vote for, including 'vote for one' and the use of multi-colored material for ballot printing, a practice that is currently being followed and the blackening of names on vacancy positions on already printed ballots. However, in sections 33 and 38, we question the use of stickers to add a replacement name as this may affect the ability of the tabulator to read the ballot.

We support Section 41 of this bill, which will allow permanently disabled persons to apply onetime for an absentee ballot. This idea is also raised in **Senate Bill 910 An Act Concerning Permanent Absentee Ballot Status**. We understand the need to present a physician's certificate to qualify for a lifetime absentee ballot status. We recommend that the registrar of voters retain the physician's certificate since it will be the registrars' duty to send a written notice in January of each year to determine if such elector continues to reside at the address indicated on their permanent absentee ballot application and still qualifies for the permanent absentee ballot status. They then must update the voter list to reflect any change in this status due to this written notice or subsequent notification throughout the year. Accordingly, we request that

the registrars of voters shall also supply an updated list of permanently disabled electors to the town clerk within 24 hours of such qualification or removal. This provision will help to ease our continuing concerns of possibly issuing ballots to deceased persons since the last election, possibly contributing to a potential increase of voter fraud in the absentee ballot area of the election process. In addition, we request that the requirement to send an absentee ballot application for each election event during the year be removed as their status is confirmed by the Registrars of Voters on an annual basis as detailed above. This will save on staff time as well as supply and mailing costs.

House Bill 6441 An Concerning Confidence in the Connecticut Election System

We oppose this bill as it requires the transporting of ballot containers on the night of the election to the town clerk's office. Most towns do not have the office or vault space to house the many containers being sent from multiple polling locations in most cases. This was discussed with the Secretary of State's office and addressed when the implementation procedure for the voting tabulators was formulated. Also suggested is the town clerk providing a vaulted facility that provides equivalent security as that used for other town records for ballot containers when there is a recount or post-election audits. Again, this has been addressed by the Secretary of State and would be an unnecessary cost burden to the towns. This bill also names the town clerk in the recanvass process and we defer to HB 6440 which further clarifies appropriately the recanvass process. We also oppose there being an additional civil penalty for the violation of Secretary of State Regulations, procedures or directives.

Senate Bill 916 An Act Concerning Certain Election Procedures Relating to the General Assembly and Congressional Redistricting.

In Section 1(a), we oppose a \$50 fine to town clerks for not submitting a redistrict map in a timely manner since town clerks are not involved in the creating and the subsequent legislative approval of that map. The registrars of voters handle this process and they also seek the approval from the legislative body. In light of this, we request that the registrars of voters in lieu of the town clerk be required to timely file this map with the Secretary of State's office.

In Section 2(a), we oppose the added responsibility of tallying moderator returns at the end of the Election Day and possibly being fined \$50 for non-filing. This is the responsibility of the head moderator, a position filled by the registrars of voters. Additionally, the Secretary of State has already clarified the law when the use of the new voting tabulators was implemented. According to law, the registrar of voters are to work with the head moderator in regard to this function as they are familiar with and are responsible for the distribution of all of the forms required to complete this function. We do not receive any training in the completion of these forms.

House Bill 5012 An Act Implementing Early Voting In Connecticut.

This bill would simply allow unrestricted absentee balloting, as well as does HB 5386. Another bill, HB 5375, in addition suggests early voting by optical scan, aka voting tabulators. In November, we did receive more requests from voters in CT for early tabulator voting than no excuse absentee ballot voting by far. All security measures must be addressed here. We recommend exploring early voting by tabulators verses removing the safeguards in place to prevent fraud and abuse in absentee voting. Connecticut has worked hard to preserve the integrity of the absentee ballot voting process while still serving the needs of certain categories of voters, mainly those physically unable to vote at the polls on Election Day, whether that be due to their absence from town all of the hours of voting, their duties as a poll worker, illness or physical disability. Please do not allow these safeguard to be stripped away for mere convenience sake. Early voting by tabulators would satisfy the desire to early vote for those able to show up at the polls but are seeking pure convenience as well as a good percentage of those not available on election day all the hours of voting, while still leaving in place the important identification requirements of Election Day. Early tabulator voting enables us to maintain our current process of absentee ballot voting which preserves the integrity of the absentee ballot voting process. We however would support an amendment to allow for an expansion in the categories to enable care givers to vote by absentee ballot, an area were we certainly recognize a significant need.

House Bill 6435 An Act Concerning Election Day Registration.

We fully support this bill as we have in the past since this piece of legislation was initially proposed. We also highly support the concept of rolling back the qualifications to vote by Presidential Ballot to apply only to the former resident. This mirrors the original intent of the Federal Legislation for this provision and we will work with local and state officials to enact this legislation.

House Bill 5903 An Act Concerning Absentee Voting for Members of the Armed Forces Stationed Overseas.

We support this bill in theory and with working with state and federal officials to explore viable options to implement this legislation should it be enacted.

House Bill 5226 An Act Concerning the Number of Polling Places for a Primary.

When polling places are changed, the voter receives a notice of the change. Although we understand this bill might provide some cost savings, we foresee voter confusion as to where they should vote throughout the year for various types of election events. We see this type of policy generating a significant increase of telephone inquiries to the town clerk and the registrars of voter offices as well as resulting in a cost for printing, postage and staff time related to the mailings.

House Bill 6436 An Act Concerning Ballot Access.

We fully support centralizing and streamlining the process for nominating petitions.

Senate Bill 909 An Act Concerning Technical Changes to Elections laws.

We support the technical changes in this bill brought about due to the change from tabulators to lever machines.

In conclusion, the Connecticut Town Clerks Association believes that many of the bills being heard here today warrant further study before being finalized.

This is especially true of HB 5012 and HB 6440, which call for significant changes to the election process and the repeal of already established safeguards from fraudulent activity. We strongly recommend that these matters be studied with utmost diligence, and offer to participate in such initiatives.

Thank you for this opportunity to testify and if you have any questions I would be more than happy to address them.

Respectfully submitted,
Joyce P. Mascena, Glastonbury Town Clerk
Chair, CTCA Legislative Committee